

70
69
68
67
66
65
64
63
62
61
60
59
58
57
56
55
54
53
52
51
50
49
48
47
46
45
44
43
42
41
40
39
38
37
36
35
34
33
32
31
30
29
28
27
26
25
24
23
22
21
20
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1

effective on December 31, 1988. (CC Docket No. 95-118, released March 6, 1997). Thus, after this date, if the Commission's order is not blocked by one of several court actions initiated by members of the wireless industry, a customer who changes carriers and retains her telephone numbers would have a handset with identification information which does not include a telephone number. One must be initially struck with the fact that we are talking about no such customers today. Furthermore, if one reads the Consensus agreement and the information of record in this proceeding, it is apparent that call back can be easily accomplished in the number portability situation as well. To wit:

"The parties to the Consensus Agreement also acknowledge that the wireless industry's agreement to provide ANI and 'pseudo-ANI' in Phase I will make it possible for the PSAP to dial back a 911 caller so long as the mobile user has not turned off the mobile unit." (FCC 96-264, ¶ 57, p. 30). "Pseudo-ANI numbers are utilized by carriers for several purposes, one of which is to act as a surrogate identification number for mobile units operating in a roamer mode." *Id.*, fn 98.

There is no reason why a pseudo-ANI cannot be assigned by the carrier to the mobile unit at the time the emergency call is placed and thus provide call back capability to the PSAP for all handsets without regard to the user's status. This was true at the time of the Consensus Agreement and it is true now.

Section 20.18(b) requires the carrier to "process all 911 calls which transmit a Code Identification." As defined, Code Identification includes a 10-digit telephone number. The examples given by CTIA/PCIA are non code identified situations. However, in both of these situations call back can be achieved and the calls should obviously be processed. The effect of § 20.18(b) in these situations is to allow the carriers, if they choose to do so, to "thwart" the purpose of the rule, which is "to require access to emergency service to as many people as possible." (Letter, p.3). Incredibly, CTIA/PCIA have seized upon this situation as an excuse to propose that the Commission now amend § 20.18(b) to allow some carriers to even further restrict public access to emergency service! CTIA/PCIA's tortured and torious reasoning should be rejected by the Commission.

Under the guise of "Choosing the Type of Calls to be Processed, (Letter, p.3), we have a rehash of an issue which was considered and decided by the Commission in the R & O. The Commission said "[w]e recognize that in certain jurisdictions carriers may be providing 911 to several PSAPs from the same switch. We find, however, that this circumstance should not be an obstacle to implementing the choice of PSAP Administrators to receive non-code identification 911 calls." (R & O, ¶ 40, p.21). Now, CTIA/PCIA proposes that the Commission delay the processing of non-code identification calls "until the Phase II location technology is in place." (Letter, p. 3). The CTIA/PCIA proposal is based on an obstacle the Commission found is not a problem. There has been no change in fact or circumstance which would warrant a change in the Commission's decision.

Additional issues

As a further reason for delay, CTIA/PCIA points to the Commission's mandate that it could rely on the parties to "in good faith" resolve technical decisions and issues necessary to implement it's decision. (R & O, ¶75, p.39). Now, over a year later, CTIA/PCIA advises that the Commission should wait for the results of these meetings. In fact, the Alliance has tried unsuccessfully to meet with representatives of CTIA/PCIA during the past year. The Alliance

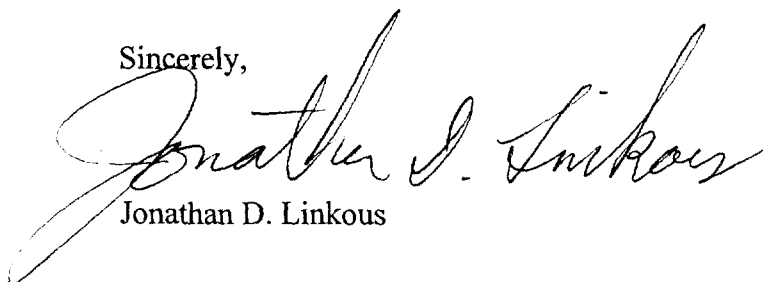
was invited by APCO to attend the meeting on September 19, which resulted in the September 25 letter to you. That invitation was withdrawn at the insistence of CTIA/PCIA! A meeting was then scheduled for October 28. That meeting was canceled. Meetings are now *tentatively* scheduled for November 8 or 9. We welcome this "breakthrough" if it means that we can engage in a good faith discussion of the items listed by the Commission in its Report & Order and not a rehash of matters which have already been fully developed on the record.

Conclusion

The Commission stated in the Report & Order "[w]e believe a strong case can be made for a requirement that carriers automatically forward *all* 911 calls to PSAPs". (§ 37, p.20). The wireless industry and the Public Safety Industry now tell the Commission that it "should not preclude carriers who choose not to perform validation from passing all 9-1-1 wireless calls." (*Letter*, p4). Since the Public Safety Industry is now willing to accept all 9-1-1 calls from carriers who choose to send them, then there is no reason why all carriers should not be required to send all calls. We respectfully submit that this is the obvious and best solution to end the ceaseless efforts by the wireless industry to reinstate blocking of emergency calls.

We do not believe that any delay in implementing the broadcast possible access to 9-1-1 is in the public interest. The Alliance has been, and is, willing to participate in discussions with the carriers and others in an effort to provide some meaningful information to the Commission as mandated by the Report and Order. Such belated discussions, if they take place, are not a reason for the Commission to further defer decision concerning issues which need to be resolved as soon as possible.

Sincerely,

A handwritten signature in cursive script, reading "Jonathan D. Linkous". The signature is written in dark ink and is positioned above the printed name.

Jonathan D. Linkous

cc: John Cimko, Wireless Division
The Honorable Anna Eshoo
William F. Caton, Secretary